

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.447 of 2025

Arising Out of PS. Case No.-715 Year-2007 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Bipin Singh @ Bipin Kumar Singh, S/o Ram Briksh Singh @ Ram Brichi Singh, Resident of village- Madanpur, PS- Pandarak (Old), New PS- NTPC Barh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Devi D/o Late Alakhdeo Singh, W/o Bipin Singh @ Bipin Kumar Singh R/o vill - Madanpur, P.S.- Pandarak (Old), New P.S. - N.T.P.C., Barh, Distt.- Patna, at present R/o village- Ratna, P.S.- Chhabilapur, Distt.- Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Arun, Advocate Mr. Anil Kumar, Advocate Mr. Sudhir Kumar, Advocate
For the State	:	Mr.Sanjay Kumar Sharma, APP
For the OP No.2	:	Mr. Rabindra Pd. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 29-06-2026

Heard learned counsels for the respective parties.

2. The instant criminal revision has been preferred by the petitioner against the judgment of conviction and order of sentence dated 10.01.2025 passed by the learned Additional Sessions Judge-II, Nalanda at Biharsharif in Criminal Appeal No. 06 of 2016, arising out of Complaint Case No.715©/2007/Trial No.116/2016, whereby and whereunder the judgment of conviction and order of sentence dated 21.01.2016 passed by the learned Additional Chief Judicial Magistrate-II, Nalanda at Biharsharif has been affirmed by which the



petitioner has been convicted for the offence punishable under Section 498-A IPC and has been sentenced to undergo simple imprisonment for two years with fine of Rs.5,000/- and in default of payment of fine, to suffer three months additional imprisonment.

3. The opposite party no. 2 filed a complaint case alleging therein that her marriage was solemnized with the petitioner in the year 1987. At the time of marriage, her parents had given cash amounting to Rs.1,00,000/- and some ornaments. After her marriage, the petitioner and his family members demanded a motorcycle and due to non-fulfillment of their demand, they started harassing the opposite party no.2. Thereafter, Rs.40,000/- has been given by the parents of the opposite party no.2 for purchasing motorcycle. After birth of a female child, the accused persons became more violent and increased torture of the complainant. The accused persons including the petitioner also made an attempt to burn the complainant to death by pouring *kerosene* oil, but she anyhow escaped and returned to her paternal house. Thereafter, the present complaint case has been filed.

4. The learned counsel for the petitioner submits that the impugned judgments of conviction and orders of sentence



are bad in law as well as on facts. The learned appellate court and the learned trial court failed to appreciate that all the complainant witnesses are closely related to each other and, thus, they all are highly interested witnesses. Therefore, their testimonies are not trustworthy. Hence, the petitioner should have been acquitted from the charges levelled against him on this score alone. The learned counsel further submits that there is no independent witness of alleged offence. The learned counsel further submits that the learned trial court did not examine the evidence of the witnesses minutely and came to an erroneous finding and hence, the judgments of conviction and order of sentence passed by the courts below are not sustainable. Moreover, the petitioner has been punished much as he has been continuously facing the ordeal and miseries of the prolonged criminal proceeding against him for the last more than 18 years, although he has been paying the amount of maintenance and has also paid arrears amount of maintenance to the opposite party no.2 and no useful purpose would be served to put the petitioner behind the bar. The learned counsel further submits that the petitioner has remained in custody for about seven months after the judgment of the learned appellate court. The petitioner is facing this *lis* from the year 2007. He has no criminal



antecedent. The learned counsel further submits that the matter has been compromised between the parties and the petitioner has fulfilled all the conditions put by the opposite party no.2 towards amicable settlement of the matter and the father of the petitioner has executed a sale deed for two *bigha* of land in favour of opposite party no.2 towards full and final settlement and mutation of the said land is also being done in the name of opposite party no.2. Therefore, it is prayed by the learned counsel that the judgments and orders of the learned courts below may be set aside and the revision petition may be allowed. If the Court is not inclined, then in that case the sentence awarded to the petitioner may be reduced to the period already undergone by him.

5. Perused the record.

6. From perusal of record, I find that the learned trial court has considered in detail the evidence of witnesses and so the learned first appellate court. The evidence of the witnesses have been discussed and the impugned orders were passed. Further, the learned first appellate court also considered the grounds which are being raised before this Court while disposing of the appeal and, therefore, the petitioner cannot be allowed to re-agitate the matter again in this revision petition. If



the facts were appreciated in the light of the evidence and two subordinate courts recorded a concurrent finding, there is very little scope for this Court to interfere in the matter in revision.

7. Having regard to the facts and circumstances and considering the fact that the petitioner has already undergone seven months of incarceration in this case and further considering the fact that he has no criminal antecedent and he is facing this *lis* from the last 19 years, I am of the view that the ends of justice would be met if, while upholding the conviction of the petitioner, the sentence awarded to him is reduced to the period already undergone by him.

8. Consequently, the conviction of the petitioner under the aforesaid section is affirmed and he is sentenced to the period already undergone by him. The fine sentence is affirmed.

9. Accordingly, this revision petition is partly allowed.

10. The petitioner is already on bail. He is discharged from the liability of the bail bonds.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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